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Agenda Item #8c – LAFCO Policies & Procedures Update



February 8, 2006

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Representative of
General Public

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City of Laguna Woods

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CHARLEY WILSON
Director
Santa Margarita
Water District

JOYCE CROSTHWAITE
Executive Officer

TO: Local Agency Formation Commission

FROM: Executive Officer

SUBJECT: LAFCO Policies and Procedures Annual Update

Background

On February 9, 2005, your Commission adopted the Orange County LAFCO Handbook which compiled all of the written policies and procedures adopted by LAFCO along with recommended revisions. At the time of adoption, staff committed to return to the Commission annually with a policy and procedures review and update.

Proposed Changes for 2006

Staff proposes five key policy amendments/updates, which are identified below. In addition, staff is proposing miscellaneous "clean up" provisions which delete duplicative sections and references in the Handbook. If the proposed changes are approved by the Commission, each Commissioner will be provided with a CD that includes an updated version of the Orange LAFCO Handbook.

(1) Executive Officer Evaluation Process

In November 1999, the LAFCO Commission discussed the development of a formal evaluation process for the Commission's Executive Officer. The LAFCO Personnel Committee, working with the LAFCO's human resources consultant, developed a protocol which was presented to the Commission at its October 11, 2000 meeting. The Commission recommended revisions and adopted the evaluation process. The evaluation protocol (*see Attachment 1*) has been incorporated into the personnel policy and procedure guidelines section of the LAFCO Handbook.

(2) *Appointment of Regular and Alternate Public Members*

Staff proposes a slight modification to this policy. The current policy requires that whenever a vacancy occurs in the position of regular or alternate public member, a formal recruitment and advertising process must be undertaken to search for a replacement public member.

The formal recruitment process includes posting a vacancy notice, notification of each city and special district, and the preparation of a press release announcing the vacancy. While the posting and notification of agencies is mandated by law, the revised policy (*see Attachment 2*) does not require the preparation of a press release but leaves it to the Commission's discretion. This approach is fully consistent with Government Code Sections 56325(d) and 56158.

(3) *Records Retention*

The proposed records retention policy (*see Attachment 3*) provides a standardized document retention schedule for LAFCO files, agreements, assorted records, and correspondence. The schedule is in compliance with the minimum retention periods mandated by the California Government Code, the California Code of Civil Procedure, the Code of Federal Regulations, and other legal authorities cited.

(4) *Commissioner and Staff Reimbursement Policy*

A new law applicable to cities, counties and special districts went into effect on January 1, 2006 which requires local agencies to adopt a reimbursement policy. The draft language (*see Attachment 4*) provides reimbursement regulations and procedures for both LAFCO commissioners and staff. The reimbursement regulations have been incorporated into the accounting and financial policies and procedures section of the LAFCO Handbook.

(5) *Transfer of Sick Leave between LAFCO Employees*

Staff proposes a modification to the Section 4.1 of the LAFCO handbook which addresses sick leave benefits. The proposed change (*see Attachment 5*) would allow LAFCO employees, with the approval of the Executive Officer, to transfer up to 80 hours of sick time per year to another LAFCO employee if needed to cover time off for medical or dental appointments or personal emergencies.

Miscellaneous Clean-Up

Several sections in the current Handbook are duplicative. Staff proposes the following changes to correct these references:

- Section 4.5 "Pregnancy Disability Leave" is duplicated in Section 4.4 "Pregnancy Leave." To avoid repetition, the references to pregnancy leave in Section 4.5 should be deleted.
- There are two Sections 4.6 "Other Time Off." These sections should be combined and all duplicated references deleted.
- There are two Sections (4.6F and 2.6A) that refer to military leave. To eliminate duplication, references to military leave in Section 4.6F should be deleted.
- There are two Sections 5.3 "Drug and Alcohol Policy." The second Section 5.3 is repetitive of the first and should be deleted.
- There are two Sections 5.5 "Problem Resolution Procedure." The second Section 5.5 is repetitive of the first and should be deleted.

Financial Disclosure & Lobby Provisions

During the December 14, 2005 LAFCO meeting, the Commission discussed a previous 2001 Commission decision to **not** adopt specific policies for:

- (1) Applying state rules for lobbyists to LAFCO;
- (2) Requiring disclosure of ex parte communications; and
- (3) Requiring disclosure of contributions for LAFCO applications

At the December 2005 meeting, the Commission directed staff to consider the development of a new policy addressing these issues and return with recommendations. Staff met with legal counsel to discuss this issue and continues to recommend against the Commission adopting a financial disclosure and lobby provisions policy due to LAFCO's limited staff and resources, the lack of enforcement mechanisms and the possibility of making LAFCO proceedings more formal and open to judicial review. We have submitted this issue to CALAFCO for further review and consideration and will continue to keep the Commission updated on any developments regarding this matter.

Recommendation

Staff recommends the Commission:

1. Approve the recommended policy changes and updates as outlined in Attachments 1 through 5, including the miscellaneous clean-up items summarized in this staff report, and direct staff to provide each

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Commissioner with an updated version of the LAFCO Policies and Procedures Handbook.

Respectfully submitted,


JOYCE CROSTHWAITE

Attachments:

1. Executive Officer Evaluation Process
2. Regular and Alternate Public Member Appointment Process
3. Records Retention Policy
4. Reimbursement Policy
5. Transfer of Sick Leave Hours

ATTACHMENT 1

[INSERT IN SECTION 1.6 “PERFORMANCE MANAGEMENT”]

The following protocol will be used by the Commission when conducting the performance evaluation of the Executive Officer. A performance evaluation of the Executive Officer will be conducted annually.

1. The Executive Officer will provide a self evaluation of his/her personal performance, in addition to submitting a report summarizing the agency’s performance, to each LAFCO Commissioner in January.
2. Each Commissioner will complete an evaluation form following LAFCO’s annual Strategic Planning workshop. The completed evaluation forms will be signed and then forwarded to the Chair of the Personnel Committee. The forms will not be reviewed by anyone outside the Personnel Committee.
3. The Personnel Committee will deliver its performance evaluation to the Executive Officer and the full Commission in closed session at the March LAFCO hearing.
4. The Personnel Committee will provide a recommendation for salary/compensation adjustments to the Commission in open session. The Commission will vote to accept or reject the Personnel Committee’s recommendation. If the recommendation is rejected, the Personnel Committee will reconvene to re-evaluate its recommendation. The Personnel Committee will then present a modified recommendation to the Commission in an open session at the April LAFCO hearing.



POLICIES & PROCEDURES
of the
ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION

ATTACHMENT 2

SUBJECT: Policy & Procedures for the Appointment of
LAFCO's Regular and Alternate Public Members

**Date Approved
by the
Commission:**

Original: 09/14/1977
Revised: 02/09/2005,
02/08/2006

**Date of last
Revision:**

02/08/2006
(Past rev: 02/22/1978)

Deleted: /09/2005

I. PURPOSE

To establish policy and procedural guidelines the appointment of LAFCO's regular and alternate public members.

II. POLICY STATEMENT

Whenever a vacancy occurs in the positions of regular public member or alternate public member, as a result of resignation, death, termination or expiration of term of office, it shall be the policy of the Local Agency Formation Commission to advertise that a vacancy exists or may exist in either or both of these positions and solicit all interested persons to apply for consideration as appointee(s) to such vacant position(s). Final appointment to the vacant position(s) shall not be made for as least 40 days after an announcement of the vacancy(ies) occur(s).

III. PROCEDURAL GUIDELINES

A. Whenever a vacancy occurs in either or both the positions of regular public member or alternate public member, as a result of resignation, death, termination, or expiration of term of office¹, the Chairman shall direct the Executive Officer to prepare and post a special vacancy notice advertising that such a vacancy(ies) currently exist(s) or may exist and soliciting interested persons to submit their résumés for consideration to the Executive Officer within 30 days after the announcement of the vacancy occurs. The special vacancy notice shall be posted at the following locations.

1. At the LAFCO staff office;
2. On the bulletin board outside the Board of Supervisor's hearing room;
3. On the bulletin board outside the Planning Commission's hearing room;
and
4. Any other places as directed by the Commission.


1. In any calendar year in which the term of office of the regular public member or alternate public member is to expire, the Executive Officer will inform the Commission at the first regular meeting in March that such expiration is effective the 30th of June. The Commission may decide to advertise this fact in advance and encourage persons to submit their resumes for consideration prior to the expiration of the respective term. In such event, notice and selection will be in the manner specified in these procedures.

- B. The Executive Officer shall mail a copy of the special vacancy notice to all city clerks; to all independent special districts; and to the clerk of the Board of Supervisors.
- C. ~~At the Commission's discretion, the Chair may also direct the~~ Executive Officer ~~to~~ have an announcement prepared and released to the press to the effect that a vacancy exists or may exist in either or both the position(s) of regular public member or the alternate public member and all interested persons are encouraged to apply by submitting their résumés to the Commission's Executive Officer within 30 days after the announcement occurs.
- D. 30 days after the announcement occur(s), no further applications for the vacant position(s) shall be accepted by the Executive Officer, who then shall forward all applications to Commission members. The Executive Officer shall place on the agenda at the Commission's next regularly scheduled meeting for discussion the consideration of these same applications for appointment to the vacant position(s).
- E. The Commission may select a personnel committee from their membership for the purposes of reviewing all applications and nominating the best qualified candidates for the Commission's consideration.
1. When a personnel committee is used for the purposes set forth in section (E) of these procedures, then the personnel committee shall recommend to the Commission the names of at least two applicants for nomination(s) to the vacant position(s) at the next regularly scheduled meeting. However, any eligible Commissioner may nominate a candidate from applications submitted.
 2. Whenever a personnel committee is not used for purposes set forth in section (E) of these procedures, then any eligible commissioner may nominate a candidate from applications submitted to the vacant position.
- F. Upon receipt of the names of the nominees for consideration to the vacant position(s), the Chairman shall declare the nominations closed and shall direct the clerk to call a vote of members eligible first for one candidate, then the other. The nominee(s) receiving a majority shall be appointed to the vacant position(s) for the unexpired term of the regular public member or alternate public member, except when the vacancy is the result of expiration of term of office, then the appointment shall be for four years and until the appointment and qualification of his/her successor.
- G. The expiration date of the term of office of each member shall be the 30th of June in the year in which his/her term is to expire.
- H. In the event no candidate from the applicants submitted receives a majority, the Commission shall direct the Executive Officer to re-advertise that a vacancy(ies) exist(s) in the manner set forth in these procedures.
- I. Final appointment to fill any vacancy in either the position of regular public member or alternate public member shall not be made by the Commission for

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at least 40 days after the announcement occurs.

- J. As stipulated in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, if the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.
- K. No person appointed as a public member or alternate public member shall be an officer or employee of the county or any city or district with territory in the county.

	POLICIES & PROCEDURES of the ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION			
	SUBJECT:	Records Retention Policy		
	Date Approved by the Commission:	Original: 02/08/2006	Date of last Revision:	N/A

I. PURPOSE

To establish the Commission's policy for retention of LAFCO files, documents, agreements, assorted records, and correspondence.

II. POLICY

It is the policy of this Commission to retain LAFCO documents and other records in accordance with the retention schedule established in the attached table. The schedule is in compliance with the minimum retention periods mandated by the California Government Code, the California Code of Civil Procedure, the Code of Federal Regulations, and other legal authorities cited.

ORANGE COUNTY LAFCO
Records Retention Schedule

Destruction of any record must be authorized by the legislative body.
(Gov. Code §§60200 - 60204)

Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accident/Illness Reports	Not a public record; employee medical records & employee exposure records, including Material Safety Data Sheets (MSDS)	8 CCR 14307 8 CCR 3204 GC 6254(c)	Duration of employment plus 30 years
Accounts Payable	Journals, statements, asset inventories, account postings with supporting documents, vouchers	GC 34090 CCP 337	Until audited + 4 years
Accounts Payable	Invoices, checks, reports, investments, purchase orders	GC 34090 26 CFR31.6001-1(e)(2)	4 years
Accounts Receivable	Invoices, checks, reports, investments, receipt books	26 CFR31.6001-1(e)(2)	4 years
Affidavits of Publication / Posting	Legal notices for public hearings, publication of ordinances, etc.	GC 34090	2 years
Agenda / Agenda Packets	Agendas, agenda packets, staff reports and related attachments, supplemental items and documentation submitted by staff/public in relation to agenda items. Paper copies of agenda packets should be maintained for 1 year as complete packets. Originals will later be imaged for permanent records retention; the filmed record may serve as the permanent record.	GC 34090 GC 34090.5	2 years
Agreements	Original contracts and agreements and back-up materials, including leases	CCP 337 CCP 337.2	4 years after termination/ completion

LEGAL AUTHORITY ABBREVIATIONS

CCP Code of Civil Procedure (CA)

CCR California Code of Regulations

CFR Code of Federal Regulations

EC Elections Code (CA)

GC Government Code (CA)

IRC Internal Revenue Code

IRS Internal Revenue Service

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R&TC Revenue & Taxation Code (CA)

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Annexations / Reorganizations	Notices, Resolutions, Certificates of Completion; documents may be imaged, but the originals can never be destroyed.	GC 34090 GC 60201(d)(1)	Permanent
Annual Financial Report	Independent auditor analysis	GC 34090	Until audited + 2 years
Articles of Incorporation		GC 34090 GC 60201	Permanent
Audit Reports	Financial services; internal and/or external reports; independent auditor analyses	GC 34090 Sec. of State Local Gov't. Records Retention Guidelines	Permanent [May be revised at a later time by Sec. of State or County officials]
Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Bank Account Reconciliations	Bank statements, canceled checks, certificates of deposit	26 CFR 31.6001-1(e)(2)	4 years
Brochures/ Publications	Retain selected documents only for historic value	GC 34090	2 years
Budget, Annual	Adjustments, journal entries, account transfers	GC 34090	Until audited + 2 years
Checks	Includes payroll, canceled and voided checks	GC 34090 CCP 337	Until audited +4 years
Citizen Feedback	General correspondence	GC 34090	2 years
Claims Against the Agency	Paid/denied	GC 34090; GC 25105.5	Until settled + 5 years (May be imaged after 3 years)

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Complaints/Requests	Various files, not related to specific lawsuits involving the agency and not otherwise specifically covered by the retention schedule	GC 34090	2 years
Contracts	Original contracts and agreements and back-up materials	CCP 337	4 years after termination/ completion
Correspondence	General correspondence, including letters and e-mail; various files, not otherwise specifically covered by the retention schedule	GC 34090	2 years
Deferred Compensation Reports	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Demographic/ Statistical Data		GC 34090	Current + 2 years
Deposits, Receipts	Checks, coins, currency	GC 34090 CCP 337	Until audited + 4 years
Economic Interest Statements - Form 700 (copies)	Copies of statements forwarded to Fair Political Practices Commission	GC 81009(f), (g)	4 years (can image after 2 years)
Economic Interest Statements - Form 700 (originals) - elected	Originals of statements of designated employees	GC 81009(e), (g)	7 years (can image after 2 years)
Employee Files	Personnel - not a public record	GC 12946 GC 6254(c)	While current + 2 years
Employee Information, General	Name, address, date of birth, occupation	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information, Payment	Rate of pay and weekly compensation earned	GC 60201	7 years

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee	May include release authorizations, certifications, reassignments, outside employment, commendations, disciplinary actions, terminations, oaths of office, evaluations, pre-employee medicals, fingerprints, identification cards	29 CFR 1627.3 GC 12946	Length of employment + 3 years
Employee Programs	Includes EAP and Recognition	GC 34090 GC 12946	Current + 2 years
Employee, Recruitment	Alternate lists/logs, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602 et. seq. 29 CFR 1627.3	Current + 2 years
Employee, Reports	Employee statistics, benefit activity, liability loss	GC 34090	Current + 2 years
Employee Rights - General		GC 12946 29 CFR 1602.31	Length of employment + 2 years
Employment Applications - Not Hired	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 34090 GC 12946 29 CFR 1627.3	2 years
Employment Eligibility Verification (I-9 Forms)	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	8 USC 1324a (b)(3) Pub. Law 99-603	3 years after date of hire, or 1 year after date of termination, whichever is later

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employment - Surveys and Studies	Includes classification, wage rates	GC 12946 GC 34090 29 CFR 516.6	2 years
Employment - Training Records, Non-Safety	Volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Personnel (by name)	Paperwork documenting internal and external training	GC 34090 GC 12946	Length of employment + 2 years
Employment - Vehicle Mileage Reimbursement Rates	Annual mileage reimbursement rates	GC 34090	Until superseded
Environmental Quality California Environmental Quality Act (CEQA)	Exemptions, Environmental Impact Reports, mitigation monitoring, Negative Declarations, Notices of Completion and Determination, comments, Statements of Overriding Considerations	GC 34090 CEQA Guidelines	Permanent
Environmental Quality Environmental Review	Correspondence, consultants, issues, conservation	GC 34090	Completion + 2 years
Family and Medical Leave Act (Federal)	Records of leave taken, agency policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	While employed +3 years (Federal) or 2 years (State)
Fixed Assets Inventory	Reflects purchase date, cost, account number	GC 34090	Until audited + 2 years
Fixed Assets Surplus Property	Auction, disposal, listing of property	GC 34090 CCP 337	Until audited + 4 years
Forms	Administrative - blank		Until Superseded
Fund Transfers	Internal; bank transfers & wires	GC 34090	Until audited + 2 years

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
General Ledgers	All annual financial summaries	GC 34090 CCP 337 Sec. of State Local Gov't. Records Retention Guidelines	Permanent [May be revised at a later time by Sec. of State or County officials]
Gifts/Bequests	Receipts or other documentation	GC 34090	Until completed + 2 years
Grants Federal, State, or other grants	Grants documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, grant documents, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Information Services, Internet/World Wide Web	Management policies and supporting documentation	GC 34090	Until superseded + 2 years
Information Systems, Inventory	Hardware/software inventory logs; systems manuals	GC 34090	Until superseded + 2 years
Information Systems, Program Files and Directories		GC 34090	2 years
Information Systems, Tapes	System generation	GC 34090	2 years
Insurance	Personnel related	GC 34090	Current + 2 years
Insurance, Joint Powers Agreement	Accreditation, MOU, agreements and agendas	GC 34090	Current + 2 years

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Insurance Certificates	Liability, performance bonds, employee bonds, property; insurance certificates filed separately from contracts, includes insurance filed by licensees	GC 34090	Current + 2 years
Insurance, Liability/Property	May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090	Current + 2 years
Insurance, Risk Management Reports	Federal OSHA forms; loss analysis report; safety reports; actuarial studies	29 CFR 1904.44 GC 34090	5 years (Federal) 2 years (State)
Investment Reports, Transactions	Summary of transactions, inventory and earnings report	GC 34090 CCP 337 Sec. of State Local Gov't. Records Retention Guidelines	Permanent
Invoices	Copies sent for fees owed, billing, related documents	GC 34090	Until audited + 2 years
Legal Notices/Affidavits of Publication		GC 34090	2 years
Legal Opinions	Confidential - not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Litigation	Case files	GC 34090	Until settled or adjudicated + 2 years
Maintenance Manuals	Equipment service/maintenance	GC 34090	Current + 2 years
Maintenance/Repair Records	Equipment	GC 34090	2 years
Marketing, Promotional	Brochures, announcements, etc.	GC 34090	2 years

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Minutes	Meeting minutes; paper records are to be maintained permanently by the agency.	GC 34090	Permanent
Newsletters	May wish to retain permanently for historic reference	GC 34090	2 years
Notices – Public Meetings	Special meetings	GC 34090	2 years
Oaths of Office	Elected and public officials – commissioners	GC 34090 29 USC 1113	Current plus 6 years
OCERS - Employee Benefits	Retirement Plan	29 USC 1027	6 years
OSHA	OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA)	LC 6410; 8 CCR 14307 29 CFR 1904.2 - 1904.6	5 years
OSHA (Accident/Illness Reports)	Employee exposure records & employee medical records; personnel - not a public record	LC 6410; 8 CCR 14307; 8 CCR. 3204; GC 6254(c)	Duration of employment plus 30 years
Payroll - Federal/State Reports	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	GC 60201	7 years
Payroll Deduction/ Authorizations	Finance	29 CFR 516.6(c) GC 60201	While Current + 7 years
Payroll, registers	Finance	29 CFR 516.5(a) LC 1174(d) GC 60201	7 years
Payroll records, terminated employees	Finance files	29 CFR 516.5 GC 60201	7 years from date of last entry
Payroll, time cards/sheets	Employee	GC 60201	7 years
Payroll - Wage Rates / Job Classifications	Employee records	GC 60201	While current + 7 years

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Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Personnel Records	Other records (not payroll) containing name, address, date of birth, occupation, etc., including records relating to promotion, demotion, transfer, lay-off, termination	29 CFR 1627.3	3 years
Personnel Rules and Regulations	Employee handbook	GC 34090	Current + 2 years
Petitions	Submitted to legislative bodies	GC 34090	Current + 2 years
Policies & Procedures	All policies and procedures adopted by the Commission; directives rendered by the agency not assigned a resolution number; Commission Bylaws	GC 34090	Current + 2 years
Political Support/Opposition, Requests & Responses	Related to legislation	GC 34090	2 years
Press Releases	Related to agency actions/activities	GC 34090	2 years
Procedure Manuals	Administrative	GC 34090	Current + 2 years
Public Records Request	Requests from the public to inspect or copy public documents	GC 34090	2 years
Purchasing, Requisitions, Purchase Orders	Original documents	GC 34090 CCP 337	Until audited + 4 years
Recordings - audiotaped	Taped recordings of Commission meetings for preparation of meeting minutes	GC 34090 64 Ops. Atty. Gen 317	Until no longer required for preparation of minutes (i.e., after Commission approval of minutes)

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Destruction of any record must be authorized by the legislative body.
(Gov. Code §§60200 - 60204)

Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Recordings, videotaped – meetings of legislative bodies	Tapes of public meetings made by or at the direction of the Commission (e.g., meetings)	GC 54953.5	30 days
Recordings, videotaped	Other than videotapes of public meetings; considered duplicate records if another record of the same event is kept (i.e., written minutes)	GC 53161	90 days after event is recorded
Records Management Disposition Certification	Documentation of final disposition of records	GC 34090	Permanent
Records Retention Schedules		GC 34090	Current + 2 years
Recruitments and Selection	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years
Requests for Qualifications (RFQs); Requests for Proposals (RFPs)	Requests for Qualifications, Requests for Proposals, and related responses	GC 34090	Current + 2 years
Resolutions	Vital records – may be imaged, but originals can never be destroyed	GC 34090	Permanent
Returned Checks	Finance - NSF (not agency checks)	GC 34090	2 years after audit
Salary Surveys	Surveys of other agencies	GC 34090	2 years
State Controller	Annual reports	GC 34090	2 years
Stop Payments	Finance - bank statements	GC 34090	2 years
Unemployment Insurance Records		IRC 3301-3311	4 years
Vouchers - Payments	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years

LEGAL AUTHORITY ABBREVIATIONS

CCP Code of Civil Procedure (CA)
CCR California Code of Regulations

GC Government Code (CA)
IRC Internal Revenue Code

PC Penal Code (CA)
R&TC Revenue & Taxation Code (CA)

CFR Code of Federal Regulations
EC Elections Code (CA)

IRS Internal Revenue Service
LC Labor Code (CA)

USC United States Code

ORANGE COUNTY LAFCO
Records Retention Schedule

Destruction of any record must be authorized by the legislative body.
(Gov. Code §§60200 - 60204)

Type of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Warrant Register/Check Register	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	GC 34090	Until audited + 2 years
Workers Compensation Files	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102 8 CCR 15400.2	Until settled + 5 years

LEGAL AUTHORITY ABBREVIATIONS

CCP Code of Civil Procedure (CA)

CCR California Code of Regulations

CFR Code of Federal Regulations

EC Elections Code (CA)

GC Government Code (CA)

IRC Internal Revenue Code

IRS Internal Revenue Service

LC Labor Code (CA)

PC Penal Code (CA)

R&TC Revenue & Taxation Code (CA)

USC United States Code

[Replace Accounting & Financial Policies and Procedures, Section 4.2 “Accounts Payable Management,” subsection D “Expense Reimbursements”]

D. Employee Expense Reimbursements

Whenever LAFCO employees desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to agency business, they shall submit their requests on a reimbursement form approved by the Executive Officer or Assistant Executive Officer. Included on the reimbursement form will be an explanation of the agency-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached. Receipts are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim. Expense reports shall be submitted within a reasonable time, and at no time more than 90 days after incurring the expense.

It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:

- a. The loss of reimbursement privileges;
- b. Restitution to the local agency;
- c. Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
- d. Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

The Executive Officer or Assistant Executive Officer will review and approve reimbursement requests. Reimbursement requests by the Executive Officer will be reviewed by the Assistant Executive Officer. Reimbursement requests by the Assistant Executive Officer will be reviewed by the Executive Officer.

E. Commissioner Expense Reimbursements

LAFCO shall adhere to Government Code Sections 53232 through 53232.4 when dealing with issues of commissioner remuneration and reimbursement.

Attendance at the following engenders a commissioner to be eligible to receive compensation:

- a. A meeting of the commission.

Commissioners are eligible to receive reimbursements for travel, meals lodging, and other reasonable and necessary expenses for attending the above on behalf of LAFCO. Reimbursement rates shall coincide with rates set by Internal Revenue Service Publication 463 or its successor publication(s).

Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor. If the published group rate is unavailable, directors shall be reimbursed for comparable lodging at government or IRS rates. Commissioners shall use government or group rates offered by the provider of transportation when available.

Any and all expenses that do not fall within the adopted travel reimbursement policy or the IRS reimbursable rates are required to be approved by the LAFCO Commission in a public meeting prior to the expense(s) being incurred. Expenses that do not adhere to the adopted travel reimbursement policy or the IRS reimbursable rates, and that do not receive prior approval from the Commission in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

LAFCO shall provide expense reimbursement report forms to commissioners who attend the above functions on behalf of the district, which shall document that expenses adhere to this policy. Receipts are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim. Expense reports shall be submitted within a reasonable time, and at no time more than 90 days after incurring the expense.

It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:

- a. The loss of reimbursement privileges;
- b. Restitution to the local agency;
- c. Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
- d. Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

[INSERT IN SECTION 4.1 “SICK LEAVE BENEFITS”]

LAFCO employees, with the approval of the Executive Officer, may transfer up to 80 hours of sick leave per year to another LAFCO employee if needed to cover time off for medical or dental appointments or personal emergencies.